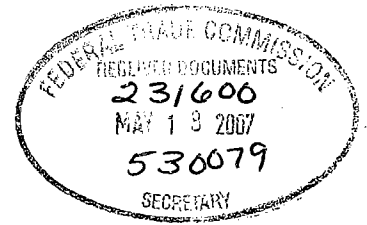


ORIGINAL

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



In the Matter of

REALCOMP II LTD.,

a corporation.

Docket No. 9320

Public

~~COMPLAINT AND COUNSEL'S MOTION FOR REVERSAL OF ORDER~~

TESTIMONY REGARDING SUPPOSED JUSTIFICATIONS FOR REALCOMP'S  
RULES AND POLICIES

Complaint Counsel respectfully submit this Motion *in limine* for an Order barring

Bureau of Competition  
Federal Trade Commission  
601 New Jersey Avenue, NW  
Washington, D.C., 20580  
sgates@ftc.gov  
(202) 326-3711  
Facsimile: (202) 326-3496

Dated: May 18, 2007

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

REALCOMP II LTD.,

a corporation.

Docket No. 9320

Public

COMPLAINT COUNSEL'S MEMORANDUM IN SUPPORT OF ITS MOTION *IN*

REGARDING SUPPOSED JUSTIFICATIONS FOR REALCOMP'S RULES AND  
POLICIES

Complaint Counsel respectfully submit this Memorandum of law in support of their

*Motion to Dismiss for an Order including the Introduction by Defendant Defendant III 41*

(“Realcomp”) of deposition or trial testimony by certain lay witnesses relating to any supposed

*justifications for Defendant’s Website and Search Engine Policies (together the “Policies”)*

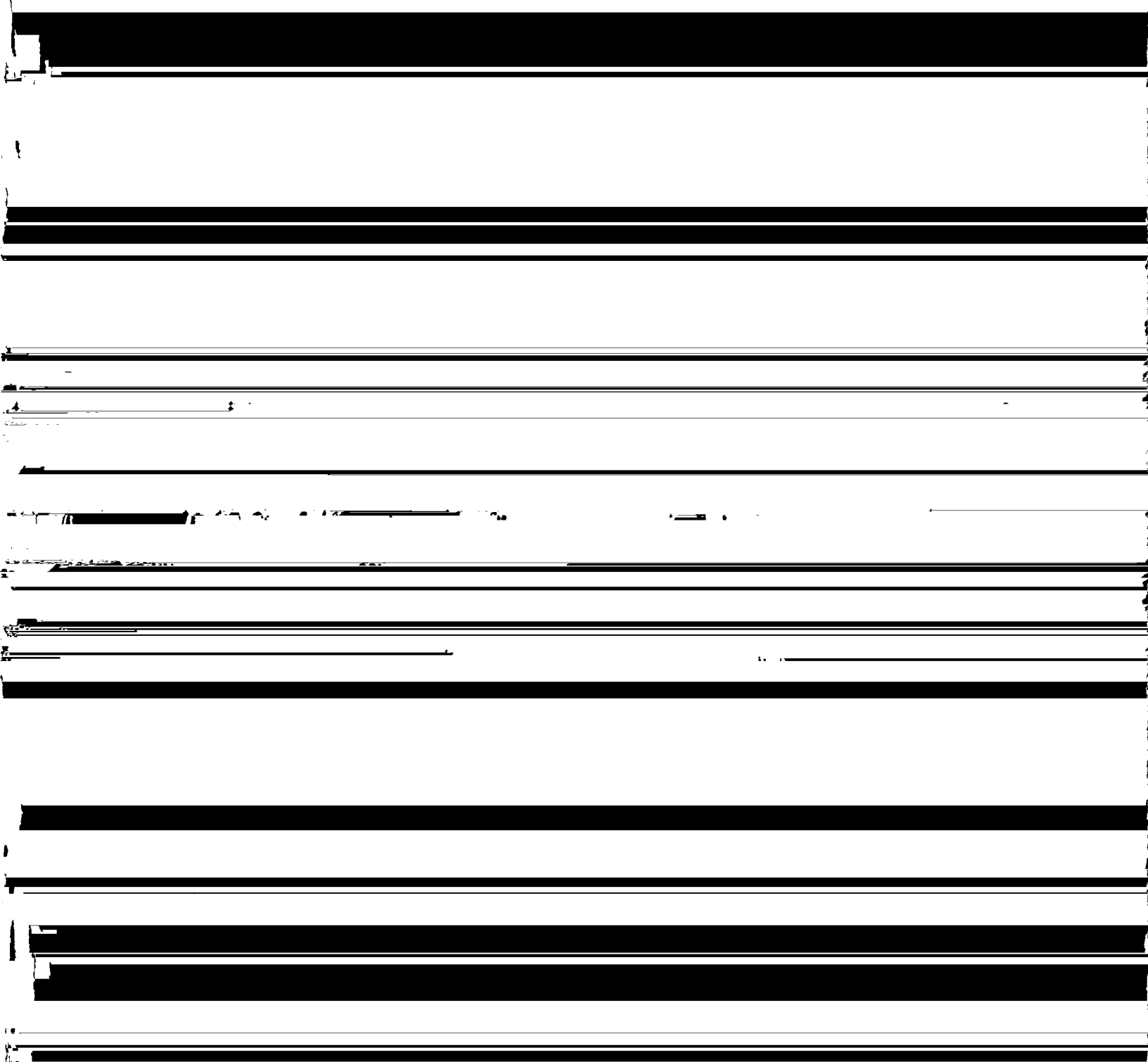
witnesses are also mere post-hoc rationales for the Polices, devoid of any evidentiary value.

Accordingly, Complaint Counsel seek an Order precluding such testimony at the hearing of this matter or by deposition.<sup>1</sup>

**II. ARGUMENT**

**A. Legal Standard**

The Scheduling Order entered by the Court on December 4, 2006 specifically provides



1005) ("[a] witness's opinion testimony must be based upon his or her personal perceptions

and, unavoidably, these perceptions must be of a type that are admissible in evidence.")

Board of Governors passed these rules?

opinion but --

**C. The Witnesses Have No Personal Knowledge of Any Alleged Problems Supporting the Policies.**

Not only do these three witnesses lack any personal knowledge of the reasons why

Recommended the Policies, they also admittedly lack any personal knowledge of the

supposed problems upon which their opinions are based. Courts have consistently rejected the

opinion testimony of lay witnesses based on factual premises outside the witnesses' personal





A. No.

Q. And from whom did you learn the reasons for the rules?

A. Oh, I don't know specifically. We talked about it at the board of governors meeting. I don't remember who it was. I mean it was general conversation amongst a lot of us.

Gleason Dep. at 24:8-25:2; Hardy Dep. at 102:6-102:21, 103:10-103:18.

The testimony of Messrs. Hardy and Whitehouse is not merely based on hearsay, but on

~~the statements of unidentified declarants that in turn were based on the statements of~~

indicia of reliability. Mr. Whitehouse cannot remember the names of the people who allegedly  
have had problems with limited services listings, he cannot remember how many such

1986), or whether their opinions are based on statements containing multiple levels of hearsay.

~~CONFIDENTIAL - ATTORNEY WORK PRODUCT - (27 F.R. 1190-1199 (9/1/01))~~

~~Moreover, because Messrs. Hardy and Whitehouse are unable to provide the names of the~~



Realcomp's Policies.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher Renner', written over a horizontal line.

Christopher Renner  
Complaint Counsel

Dated: May 18, 2007

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

REALCOMP II LTD.,

a corporation.

Docket No. 9320

Public

DECLARATION OF PEGGY BAYER FEMENELLA

I, Peggy Bayer Femenella, make the following statement:

1. I am an Attorney in the Bureau of Competition of the Federal Trade Commission. I serve as Complaint Counsel in this matter.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

[PROPOSED] ORDER

On May 18, 2007, Complaint Counsel moved *in limine* to limit the trial and deposition testimony of Robert Gleason, Douglas Hardy, Douglas Whitehouse, and any other Respondent



CERTIFICATE OF SERVICE

This is to certify that on May 19, 2007, I caused a copy of the attached Complaint

Counsel's Motion in Limine to Bar Lay Opinion Testimony Regarding Supposed Justifications for Realcomp's Rules and Policies, the Memorandum in Support of its Motion *In Limine*, a Declaration of Peggy Bayer Femenella and Exhibits to be served upon the following persons:

by hand delivery to:

The Honorable Stephen J. McGuire  
Chief Administrative Law Judge

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

In the Matter of )  
)

REALCOMP II LTD., )  
)

Respondent. )  
)

Docket No. 9320

Chief Administrative Law Judge  
Stephen J. McGuire

may also offer testimony concerning matters upon which she has previously been deposed and concerning all documents and exhibits that Realcomp has produced in this case.

2. **Kelly Sweeney**  
**Weir Manuel, REALTORS®**  
**298 S. Old Woodward Avenue**  
**Ann Arbor, MI 48106**

Mr. Sweeney is expected to offer testimony concerning the importance of the Realcomp Rules at issue as they relate to the underpinnings of the MLS of cooperation and compensation. This is not a direct Realcomp issue.



Hardin also expected to offer testimony about IDV fees and the [redacted]

position if they were to be forwarded EA listings by Realcomp as well as the ability  
of EA's to forward their own listings via alternate websites and [redacted]

7. **Walt Baczkowski**

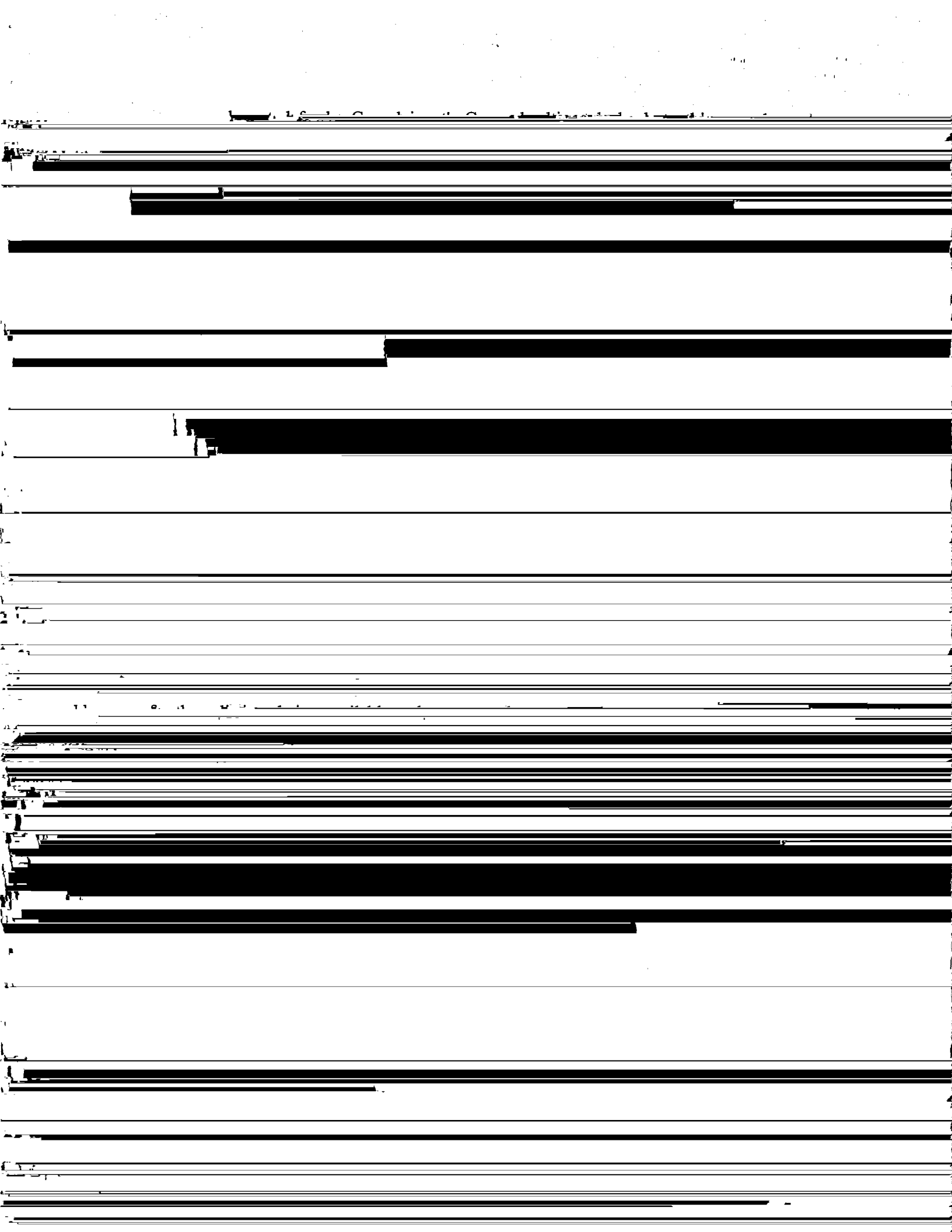
It is expected that Mr. Baczkowski's testimony will be presented by deposition. It

is expected that Mr. Baczkowski's testimony will be that the search is for a

Person does not necessarily make it more difficult for someone else to

expense of litigating this matter; the \$50 per listing charge MiRealSource has for  
most listing fees; charges MiRealSource has for persons who wish to list

member; MiRealSource's growth throughout Southeastern Michigan and areas of





Business anticipates that unless called as a witness by the ETC, Mr. Minardi

testimony will be presented by deposition. Mr. Minardi's testimony is expected to be

expected to offer testimony about Realtor.com experiencing increased competition  
from large search engines such as Yahoo and Google and smaller startups such as

Trulia and Zillo.

24. **Wayne Aronson**  
**c/o YourIgloo**

Mr. Aronson's testimony is expected to be offered by deposition in the event that he

is not called as a witness by the Commonwealth's Counsel or his transcript is used.

CERTIFICATE OF SERVICE

This is to certify that on May 15, 2007, I caused a copy of the attached Respondent's Final Proposed Witness List to be served upon the following persons by Electronic Transmission and

overnight delivery:

Sean P. Gates, Esq.

601 New Jersey Ave. NJ 07102

Rm. NJ-6219

Washington, DC 20001

And two courtesy copies of same hand delivered to:

Hon. Stephen J. McGuire

Chief Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Washington, DC 20580



Lorri A. Rosier

**OFFICIAL TRANSCRIPT PROCEEDING**

**FEDERAL TRADE COMMISSION**

**MATTER NO. D09320**

**TITLE REALCOMP, II, LTD.**

**PLACE FOSTER SWIFT COLLINS & SMITH, P.C.  
32300 NORTHWESTERN HIGHWAY, SUITE 2300  
FARMINGTON HILLS, MICHIGAN**

**DATE FEBRUARY 23, 2007**

**PAGES 1 THROUGH 127**

1 without board of governors' approval; right?

2 A. Correct.

3 Q. Now looking at CX 91, if you turn to the third page  
4 you'll see at the top there's an item entitled  
5 MLS/User Committee.

6 Do you see that?

7 A. Yes.

8 Q. Okay. And you see there was a motion made, seconded  
9 and carried to approve a recommendation for the  
10 MLS/User Committee to add three new feature options  
11 under compensation arrangements for all property  
12 types.

13

14 A. Yes, I do.

15

16 agency listings, limited service listings and MLS  
17 entry only listings; is that right?

19 Q. And it reads below that: It was further agreed that

1 discussed at this meeting regarding the agreement that  
2 these listings would not be sent to the real estate  
3 Internet advertising?

4 A. I can't remember. I'm not sure.

5 at the meeting?

6 Q. Well, if you look at the second page, it lists you as  
7 present I believe.

8 A. Yes, I was present. I don't remember.

9 Q. So you don't remember any of the discussion about this  
10

1 A. No, I don't.

2 Q. If you look at the second page, you see there's an  
3 item that says Update on Limited Service and MLS Entry  
4 Only Listings.

5 Do you see that?

6 A. Yes, I do.

7 Q. Okay. And then under that title...

8 was made seconded and carried to establish...

9 search requirements on RealcompOnline in order to  
10 include MLS only and/or limited service listings in  
11 the basic search.

12 Do you see that?

13 A. Yes, I do.

14 Q. And then another motion was made, seconded and carried  
15 to exclude MLS only and limited service listings from  
16 all data extracts to the Internet real estate Web  
17 sites publishing Realcomp data.

18 Do you see that?

19 A. Yes, I do.

20 Q. Do you see that?

1 Q. So you can't tell me today why it was these motions  
2 were passed?

3 A. No.

4 Q. You can't tell me today what are the reasons that the

5 board of governors had at the time for passing these  
6 motions?

7 A. No.

8 Q. Do you remember any problems that were -- Realcomp was  
9 facing back in 2001 because of limited service and MLS  
10 entry only listings?

11 A. No, I really don't.

12 Q. Mr. Gleason, you're aware that the Federal Trade  
13 Commission's suit against Realcomp involves one set of  
14 rules which exclude anything other than exclusive  
15 right-to-sell listings on the push from Realcomp of  
16 its listings out to Internet sites such as REALTOR.com  
17 and onto the IDX feed; right?

18 A. Yes.

19 Q. And you've been on the board of governors now as a  
20 primary governor since 2004; right?

21 A. Yes.

22 Q. Can you tell me of any discussions during that time

23 that you've had with the board of governors regarding



2 here.

3 O. Okay. So the last several meetings is that in 2006

4 A. Well, this year.

5 Q. Okay. It was 2006 and 2007?

6 A. Yeah. I can't remember how far back in 2006, but it  
7 started in 2006.

8 Q. Okay. So prior to 2006, and prior to the FTC's  
9 investigation into Realcomp, do you remember any  
10 discussions with the Realcomp board of governors about  
11 those rules?

12 A. No.

13 O. Since the investigation did you then have

1 it was. I mean it was general conversation amongst a

3 Q. And was there anybody from the -- in those  
4 conversations that said well, back in 2001 we were  
5 having this big problem with limited service and MLS  
6

7 address?

8 A. No.

9 Q. Okay. So what were the reasons then discussed within  
10 the board of governors for the rules that prevent  
11 anything other than exclusive right-to-sell listings  
12 to go to Internet Web sites?

1 A. Yes.

2 Q. Okay. Tell me about it. Give me the details. When  
3 did it happen, who was involved?

4 A. Where a buyer went around an exclusive agency  
5 contract?

6 Q. Yes.

7 A. Is that what your question is?

8 Q. The seller is listing under an EA contract.

9 A. No, the seller is not listing under an EA contract. I  
10 apologize, this was a new construction that was

11 listed.

12 Q. So I want any examples of a listing under an EA  
13 contract in which there was a procuring cause dispute

14 because the buyer went around the agent

16 agency contract? Not that I know of, no.

17 Q. But you say this is the problem with putting these

1 MR. MANDEL: I think he's asking as far as  
2 what rules, Sean?

3 BY MR. GATES:

4 Q. The Web site policy rules that we've been discussing,

5 A. My understanding is that what we just talked about as  
6 far as Realcomp's policy. Now you're asking me what  
7 NAR's policy is?

8 Q. Yes.

9 A. My understanding I think is that they do include  
10 exclusive agencies. That's why we're going against

11 NAR.

12 Q. Right, okay. I got you.

13 But do you know whether or not other MLSs

14 have the same published MLS license rules?

15 sites?

16 A. Yes, they have.

17 Q. They have, okay. And how do you know that?

1 the FTC got involved in this area?

2 A. I didn't know.

3 Q. Oh, you didn't know that? You don't know one way or

4 the other?

5 A. I don't know one way or the other.

6 Q. Okay. Do you know of any MLS that's experienced

7 problems because of publishing? [REDACTED]

8 sites?

9 A. No, I don't know one way or the other.

10 Q. Okay. So when you, Realcomp, decided to maintain your

11 stance on your Web site policies, you didn't look at

12 whether -- what other MLSs across the country were

13 doing?

14 A. I did not personally, no.

15 Q. Do you know whether or not the board of governors did?

17 Q. Some of them did, and what did they report to you?

18 A. As far as what their policies were?

# ATTORNEY COPY

## OFFICIAL TRANSCRIPT PROCEEDING

### FEDERAL TRADE COMMISSION

**MATTER NO.** D09320

**TITLE** REALCOMP, II, LTD.

**PLACE** FOSTER SWIFT COLLINS & SMITH, P.C.  
32300 NORTHWESTERN HIGHWAY, SUITE 2300  
FARMINGTON HILLS, MICHIGAN

**DATE** FEBRUARY 21, 2007

**PAGES** 1 THROUGH 142

**TESTIMONY OF DOUGLAS HARDY**

**CONTAINS RESTRICTED AND CONFIDENTIAL PORTIONS**

---

**FOR THE RECORD, INC.  
10760 DEMARR ROAD  
WHITE PLAINS, MD 20695**

**(301)870-8025**

---

1 Q. Okay.

2 A. It's just their first letters abbreviated.

3 Q. So it's NOCBOR?

5 Q. Is that N-O-C-B-O-R?

6 A. Yes, sir.

7 Q. Do you have any positions at NOCBOR?

10 Q. Have you had any positions at NOCBOR prior to 2007?

11 A. No, sir.

12 Q. What other boards are you a member of, if any?

13 A. I think no other boards.

14 Q. Does your company or your offices have to be members  
15 of the different boards?

16 A. Yes.

17 Q.

1 A. That's my impression. That's my understanding,  
2 absolutely.

4 Source because you already have access to those

5 percent of those listings.

6 A. It would -- it's a cost savings for the agents

7 Q. What about other MLSs outside of the Realcomp area, in  
8 other counties?

9 A. No, sir.

10 Q. And is there a reason why your offices haven't joined  
11 some of those other MLSs?

12 A. I don't think I have any interaction with areas  
13 selling houses outside of our areas.

14 Q. Okay. And why don't you tell me which areas your  
15 Century 21 Today covers



1 Q. What about Sotheby's, your Sotheby's franchise, you  
2 have a hundred agents there, what geographic areas do

3 they list houses in?

4 A. Most all Oakland County

5 Q. And you said that the Sotheby's office is also a  
6 member of MI Real Source?

8 Q. Can you tell me why that is?

9 A. When we bought them in May 1st in May of 2006 they

10 were a member of MI Real Source and I didn't want -- I  
11 don't want to change things too fast, so I just left  
12 it in place.

13 Q. Would it be a cost savings to you to terminate the  
14 Sotheby's office's membership in MI Real Source?

15 A. Not to the company, no.

16 Q. That --

17 A. To the agents it would be a cost savings.

18 Q. The agents would be a cost savings?

2 on any other websites?

3 A. There's so many places our listings go, I don't know  
4 if I could actually give you a comprehensive list.  
5 Those for sure are the significant sites.

6 Q. Let me give you what's been marked previously as CX  
7 77, and just tell me whether you, if you know, whether  
8 or not you market -- Century 21 Today markets any of  
9 its homes, its listings on any of those websites

10 A. I do not know. I think the only way they would get  
11 there if it was part of IDX, but --

12 Q. Do you recognize any of these websites?

13 A. FSBO Monster is a pretty interesting website, but  
14 there's not one I recognize that I've actually spent  
15 more than this time on this page with except zillow at  
16 the bottom

17 Q. Thank you. You suggest that some of the

1 Q. From the Realcomp MLS, right?

2 Now, where you were not at the

3 meeting, the Realcomp Board of Governors meeting at

5 A. It's my understanding that it was done before I was on  
6 the board.

7 Q. Okay. So it was done before you were on the board and  
8 so you weren't at the meeting where it was actually

9 voted on, right?

1 Q. So you don't know from your discussions from any of

2 the other Board of Government members

3 that rule was put in place?

4 A. No, sir.

5 Q. Do you have an understanding of from any source what

6 the purpose of the rule is?

7 A. You mean in today's terms or at the time it was

8 adopted?

9 Q. No. When you were asked that at the time of the

10 adopted from any source can you tell me what the

11 purpose of the rule is?

12 A. No, sir.

1 Q. Okay. So if I understand what you say this  
2 adventure, you're talking about the Federal Trade

3 Commissions case, investigation and case against  
4 Realcomp?

5 A. Yes.

6 Q. So prior to that time, prior to the FTC investigation  
7 and case against Realcomp, you didn't have any  
8 understanding whatsoever what the purpose of the rule  
9 was?

10 A. I didn't really have any knowledge of that rule.

11 Q. So when was it that you first knew about the rule?

12 A. I think I first became aware of the rule when I was --  
13 understood we were being investigated and this was one  
14 of the issues.

15 Q. So at that time you investigated the rule?

16 A. Investigating in the sense that I asked what is the  
17 rule.

2 investigation of Realcomp. I truly don't recall.

3 Q. You don't recall what year that was?

4 A. Don't tell my wife I can't remember our anniversary  
5 date. That's really restricted of anything. You

6 know? I don't -- whenever it happened, you know it's

7 kind of been an evolving process. So whenever the

9 made us aware of it.

10 Q. And then when you say you investigated or found out

11 about the rule, other than asking, well, other than

12 conversations with Mr. Lasher, how did you find out

13 about the rule and its purpose?

1 Q. That's your understanding of the purpose of the rule,  
2 right?

3 A. It's just my understanding of the rule. I don't  
4 know -- I can't speak to where it came from or the  
5 real goal behind it; but in my investigating, you  
6 know, my summary is I don't think it's in the best  
7 interest of the Realcomp to put two parties together  
8 with ~~without a quantity of compensation~~

9 Q. You understand that --

10 A. I didn't write on this one.

11 Q. Good job.

12 You understand that the Federal Trade  
13 Commission is also challenging what we call the search  
14 function policy?

15 A. Yes, sir.

16 Q. Okay. So search function policies --

17 same page is that under the default search in the

18 Realcomp Online, only exclusive right to sell and

19 unknown listings come up, right?

1 Board of Governors adopted that rule originally,  
2 right?

3 A. No, but I'll ramble ultimately at some time about it.

5 was adopted at first?

6 A. No, sir.

7 Q. Let me give you a document already marked as CX 166.

8 CX 166 --

10 Q. Is the minutes of a meeting from August 22nd, 2003 of  
11 the Board of Governors?

12 A. Correct.

13 Q. Okay. And you were listed as present. ~~Were you a~~

14 member of the Board of Governors at this time and  
15 present at this meeting?



1 were to elect those.

2 Q. Okay. Now, let's back up for a second. Each listing

3 within the Realcomp MLS is identified by listing type

4 correct?

5 A. Correct.

6 Q. When you pull up a detailed listing, the listing type

7 is right there at the top, right?

8 Q. So that when you look at the listing type that's right

9 there at the top of a detailed listing, that informs

10 the agent of the relationship or the agreement between

11 the home seller and the listing agent, right?

12 A. Correct.

13 Q. So you said that the reason for the default search is

14 so that agents would know whether or not they're

1 search function policy?

2 A. No.

3 Q. So you can't tell me why it is that Realcomp has a  
4 search function policy, other than your deduction for  
5 reasons?

7 practice, that it's actually a hindrance to the

9 going to directly call you.

change those rules, right? And then could I...  
2 the next meeting if they wanted to, correct?

3 A. Sure.

4 Q. So for right now it's your viewpoint that you're not  
5 going to make that type of motion, not going to change  
6 those rules, right?

7 A. I've had the issue prior to this process has never  
8 even really come up and been discussed much. I mean,  
9 you know, I have a number of agents I represent  
10 personally as a broker and a number of that I talk to  
11 in the industry and I have never had it come to me as  
12 a concern.

13 Q. Let's back up in your personal experience. You said  
14 you've talked about these different problems that  
15 agents run into when they're dealing with limited  
16 service listings, but you haven't personally been the  
17 selling agent or the cooperative broker in any of  
18 those transactions, right?

19 A. I think my selling days predated this business model.  
20 ...

1 office every day, talk to my agents, how their

3 with deals. Every day.

4 Q. And is it your testimony that those issues occur every  
5 single time there's an EA listing?

6 A. No, I don't think so. I think the issues are more I  
7 get frustrated concerns from agents on dealing with  
8 certain types of listings and it's far more common on  
9 some listings than others.

**OFFICIAL TRANSCRIPT PROCEEDING**

**FEDERAL TRADE COMMISSION**

**MATTER NO. D09320**

**FFI V REAL COMP LJ TD.**

**PLACE FOSTER SWIFT COLLINS & SMITH, P.C.  
32300 NORTHWESTERN HIGHWAY, SUITE 2300  
FARMINGTON HILLS, MICHIGAN**

**DATE FEBRUARY 22, 2007**

**PAGES 1 THROUGH 154**

2 Michigan area.

3 Q. Does Chamberlain Realtors still exist?

5 Chamberlain and then it was Chamberlain, Prudential,  
6 Prudential, Chamberlain, Steel and now it is  
7 Prudential Cranbrook Realtors.

9 you have?

10 A. Probably about 45.

11 Q. And how many offices?

12 A. One.

13 Q. And where's the office?

1 analysis?

2 A. Yeah.

3 Q. Okay. Thank you.

6 12:50 p.m.

7 BY MR. GATES:

8 Q. CX 327 is a letter from Karen Kage to you dated

9 September 18th, 2006, right?

10 A. Yes, it is.

11 Q. And in the middle of the page it talks about  
12 Realcomp's MLS rules and regulations that are subject  
13 to the Federal Trade Commission's litigation, right?

14 A. Yep.

15 Q. And it talks about the first bullet point is exclusive  
16 agency, limited service, MLS entry only listings will  
17 not be distributed to any real estate Internet  
18 advertising sites, right?

19 A. Correct.

1 basis.

2 A. Correct.

3 Q. So these two rules have to do with the distribution of

4 listings on to the Internet, right?

5 A. Correct.

6 Q. Now, you weren't on the Board of Governors when

7 Realcomp implemented these two rules, were you?

8 A. No, I was not.

9 Q. Do you know when they implemented these two rules?

10 A. No.

11 Q. When did you first become aware of the two rules?

12 A. I couldn't give you a date. I really --

13 Q. Did you know about them before you got the letter from

14 Karen Kage?

15 A. I would say so.

16 Q. How long before that?

17 A. I honestly don't know.

18 Q. Did you know about them in 2005?  
[REDACTED]

19 A. I would say so but I don't remember a date.

20 Q. Did the Realcomp Board of Governors consult you at all

21 regarding passing these rules?



1 A. No, I don't have any information on why they made the

2 decision. I have my own opinion but --

3 Q. You have your opinion but you don't know exactly why

4 they did?

5 A. No, I do not.

6 Q. On the third bullet point it says, additionally, the

8 Online automatically defaults to exclusive

9 right-to-sell and unknown.

11 rules that's subject to the FTC litigation, right?

12 A. Yes.

13 Q. And you were not on the Realcomp Board of Governors

Q Okay. So going back in your experience, you know.

\_\_\_\_\_ tell me of all the problems that

3 you can tell me of from firsthand knowledge.

5 Q. Yes.

6 A. I can't. I can only tell you secondhand.

7 Q. So you only have secondhand knowledge of any problems  
8 that the publication of exclusive agency listings on  
9 to Internet sites causes?

10 A. Correct. I have not experienced that myself in my  
11 sale.

12 Q The secondhand knowledge is what, you've heard from

1 A. No, I can't.

2 Q. Can you tell me how many?

3 A. No.

4 Q. In person?

6 rooms.

7 Q. Okay. So, Mr. Whitehouse, you produced to us a large

8 ~~number of items and things that came from that~~

9 rooms, right?

10 A. From Internet reading, yes.

11 Q. And so we would expect to find those types of

1 Q. So the only thing that you can tell us about then is

3 A. Correct.

5 complaints, right?

6 A. Correct.

7 Q. And you don't have any names of any agents who have

9 A. No, I do not. Could probably go out and get them.